

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA  
MIAMI DIVISION  
MDL No. 3076  
Case No. 1:23-md-03076-KMM**

**IN RE:  
FTX Cryptocurrency Exchange Collapse Litigation**

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This document relates to:  
Promoters and Digital Creators

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**PLAINTIFFS' RESPONSE TO PROMOTER DEFENDANTS'  
NOTICE OF FILING SUPPLEMENTAL AUTHORITY [ECF No. 1000]**

The Promoter Defendants' Notice, [ECF No. 1000], cites a recent \$1.6 billion distribution by the FTX Trust. That development has no bearing on the issues before this Court. As Plaintiffs have already extensively alleged and briefed (Opp. at 10–11, 22–23, 39; FAC ¶¶1203–1213), the bankruptcy process values customer claims based on the depressed dollarized price of their digital assets as of the November 2022 petition date. Therefore, those valuations and resulting recoveries do not reflect the true market value of Plaintiffs' losses or the full scope of Defendants' liability.

The Bankruptcy Court expressly stated that damages “recoverable in another proceeding are not capped or otherwise limited” by Plan distributions. FAC ¶1208. Plaintiffs' statutory and common-law claims against these non-debtor promoter Defendants arise from distinct liability and seek relief unavailable from the bankruptcy forum. The supplemental distribution data merely reflects incremental payments to creditors which does not alter the jurisdictional, arbitrability, or merits analysis presently before this Court.

Dated: October 21, 2025. Respectfully submitted,

<b><u>Plaintiffs' Co-Lead Counsel</u></b>	
By: <u>/s/ Adam Moskowitz</u> Adam M. Moskowitz Florida Bar No. 984280 Joseph M. Kaye Florida Bar No. 117520 <b>THE MOSKOWITZ LAW FIRM, PLLC</b> Continental Plaza 3250 Mary Street, Suite 202 Coconut Grove, FL 33133 Office: (305) 740-1423 <a href="mailto:adam@moskowitz-law.com">adam@moskowitz-law.com</a> <a href="mailto:joseph@moskowitz-law.com">joseph@moskowitz-law.com</a> <a href="mailto:service@moskowitz-law.com">service@moskowitz-law.com</a>	By: <u>/s/ David Boies</u> David Boies Alex Boies Brooke Alexander <b>BOIES SCHILLER FLEXNER LLP</b> 333 Main Street Armonk, NY 10504 Office: (914) 749-8200 <a href="mailto:dboies@bsfllp.com">dboies@bsfllp.com</a> <a href="mailto:aboies@bsfllp.com">aboies@bsfllp.com</a> <a href="mailto:balexander@bsfllp.com">balexander@bsfllp.com</a>

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the forgoing was filed on October 21, 2025, via the Court's CM/ECF system, which will send notification of such filing to all attorneys of record.

By: /s/ Adam Moskowitz  
Adam Moskowitz